

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

OHIO FRESH EGGS LLC, et al.,

Plaintiffs,

v.

**Civil Action 2:20-cv-5267
Judge James L. Graham
Magistrate Judge Jolson**

SMITH & KRAMER, P.C., et al.,

Defendants.

ORDER

This matter is before the Court on Defendants’ Motion for Leave to File Under Seal. (Doc. 6). Defendants, in September 2019, filed the same motion in the related case, 2:19-cv-2971 (Doc. 10), which the Court granted, (Doc. 11). Plaintiffs voluntarily dismissed that case less than a month later and immediately filed this action. In anticipation of filing a similar motion to dismiss in this case, Defendants again request leave to submit the same confidential materials under seal. (Doc. 6).

In their Motion, Defendants rely on their earlier justifications for sealing and redacting their forthcoming motion and certain accompanying exhibits. First, they explain that Exhibits 1-A and 1-B to their forthcoming motion to dismiss are 2003 contracts between Plaintiffs and non-party Buckeye Egg Farm, L.P., which “address confidential matters revealing the inner workings of the contracting parties, including their assets, debts, liabilities, and proprietary information regarding the facilities.” (*Id.* at 5). Specifically, they assert that “the contracts contain private and proprietary information concerning” both Plaintiff and non-party Buckeye Egg Farm, L.P. (*Id.*).

Second, Defendants explain that Exhibits 1-D and 1-E are the closing documents for 2003 contracts that also implicate the privacy and confidential business interests of non-party Buckeye

Egg, L.P. (*Id.* at 7). Finally, Defendants explain that Exhibits 1-F and 1-G, and 1-H are contracts that implicate the privacy and confidential business interests of non-party Trillium. (*Id.* at 8–10).

Defendants have set forth compelling reasons to justify filing under seal. *See Blasi v. United Debt Servs., LLC*, No. 2:14-CV-83, 2016 WL 3765539, at *1 (S.D. Ohio July 14, 2016) (noting that a proper motion to seal must “demonstrate[] a compelling reason for filing under seal, must be narrowly tailored to serve that reason,” and must “analyze in detail, document by document, the propriety of secrecy, providing reasons and legal citations”). And these reasons outweigh the public’s interest in accessing containing confidential information belonging to third parties. Moreover, the seal is narrowly tailored as Defendants do not seek to seal the documents in their entirety, but rather, only the information described above, and will file redacted versions on the public docket. (Doc. 6 at 11).

Accordingly, for good cause shown, Defendants’ Unopposed Motion (Doc. 6) is **GRANTED**. Defendants may file their forthcoming motion to dismiss and above-described exhibits under seal and shall contemporaneously file redacted versions of the same on the public docket.

IT IS SO ORDERED.

Date: December 2, 2020

/s/ Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE